

## **Senate Bill No. 1737**

### **CHAPTER 1080**

An act relating to the Bipartisan Commission on the Political Reform Act of 1974.

[Approved by Governor September 30, 1998. Filed  
with Secretary of State September 30, 1998.]

#### **LEGISLATIVE COUNSEL'S DIGEST**

SB 1737, McPherson. Bipartisan Commission on the Political Reform Act of 1974.

The Political Reform Act of 1974, an initiative measure, prescribes various limitations and reporting requirements respecting, among other things, political campaign contributions.

This bill would create a Bipartisan Commission on the Political Reform Act of 1974 with prescribed membership. The commission would be required to investigate and assess the effect of the Political Reform Act of 1974 on core political speech protected by the First Amendment to the United States Constitution, and on candidates for public office, campaign committees, the voters, state and local officials, and public employees, including the act's effect upon communications to and from public officials. The commission would be required to review any ballot measures affecting the Political Reform Act of 1974 and to assess the impact of independent expenditure committees. The commission would be required to report to the Legislature, by October 1, 1999, its findings and any recommendations to further the goals of the act. Commission members would receive \$100 per diem compensation for attendance at meetings. The bill would be repealed on January 1, 2000, unless extended by statute.

*The people of the State of California do enact as follows:*

SECTION 1. The Legislature finds and declares that the Political Reform Act of 1974, as set forth in Title 9 (commencing with Section 81000) of the Government Code, is an initiative measure adopted by the state's voters 24 years ago that was intended to restore public confidence in elected officials of state and local government. The Legislature further finds and declares that there is now a need to reassess the provisions of the Political Reform Act of 1974 to determine what its effects have been and whether changes would provide for a more efficient and effective implementation of that act. It is not the intent of the Legislature that the commission established by Section 2 of this act draft or propose additional campaign finance

reform suggestions, but rather focus on administrative, regulatory, procedural, and clarifying changes to the Political Reform Act of 1974.

SEC. 2. The Bipartisan Commission on the Political Reform Act of 1974 is hereby established. “Commission,” as used in this act, means and refers to the Bipartisan Commission on the Political Reform Act of 1974. The commission shall consist of 14 members, appointed as follows:

(a) Four members appointed by the Governor, two of whom shall be members of the Democratic Party and two of whom shall be members of the Republican Party. The Governor shall designate one of these members to serve as chairperson of the commission. One of the members appointed by the Governor shall be a public member who is a representative of a nonprofit public interest organization.

(b) One member appointed by the President pro Tempore of the Senate.

(c) One member appointed by the Minority Floor Leader of the Senate.

(d) One member appointed by the Speaker of the Assembly.

(e) One member appointed by the Minority Floor Leader of the Assembly.

(f) Two members appointed by the Fair Political Practices Commission from among former chairpersons of that commission, one of whom shall be a member of the Democratic Party and one of whom shall be a member of the Republican Party. If, however, either of these appointments cannot be made because there is no qualified person willing to serve, then a former staff employee of the Fair Political Practices Commission may be appointed to serve in lieu of a former chairperson of the commission.

(g) Two members appointed by the Secretary of State, one of whom shall be a member of the Democratic Party and one of whom shall be a member of the Republican Party. One of the members appointed by the Secretary of State shall be a person who has been, but is not currently, registered as a lobbyist pursuant to the Political Reform Act of 1974 (Title 9 (commencing with Section 81000) of the Government Code).

(h) Two members appointed by the Attorney General, one of whom shall be a member of the Democratic Party and one of whom shall be a member of the Republican Party.

SEC. 3. (a) Current Members and employees of the Legislature and registered lobbyists shall be ineligible for membership on the commission.

(b) No more than three members of the commission may be attorneys at law who devote more than 10 percent of their professional practice time to legislative, political campaign, or other politically related activities.

SEC. 4. The commission shall conduct its initial meeting as soon as possible after January 1, 1999. The commission shall investigate and assess the effect of the Political Reform Act of 1974 on core political speech protected by the First Amendment to the United States Constitution, and on candidates for public office, campaign committees, the voters, state and local officials, and public employees, including the effect upon communications made or received by elected and other public officials to and from members of the public and lobbyists. The commission shall review any ballot measures affecting the Political Reform Act of 1974 and shall assess the impact of independent expenditure committees. The commission shall report its findings to the Legislature, together with any recommendations to further the goals of the act, on or before October 1, 1999.

SEC. 5. Each member of the commission shall be entitled to per diem compensation in the amount of one hundred dollars (\$100) for each day of attendance at a meeting of the commission.

SEC. 6. The commission may contract with individuals or organizations to provide research deemed necessary to achieve the purposes of the commission under this act.

SEC. 7. This act shall remain in effect only until January 1, 2000, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2000, deletes or extends that date.

